

ESTTA Tracking number: **ESTTA739914**

Filing date: **04/13/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Hydrox Chemical Company, Inc.
Granted to Date of previous extension	04/13/2016
Address	825 - B Tollgate Road Elgin, IL 60123 UNITED STATES
Attorney information	James M Faier Faier and Faier P.C. 566 W. Adams St.Suite 600 Chicago, IL 60661 UNITED STATES jmfaier@faier.com Phone:312-382-9400

Applicant Information

Application No	86708684	Publication date	12/15/2015
Opposition Filing Date	04/13/2016	Opposition Period Ends	04/13/2016
Applicant	CreAgri, Inc. 25565 Whitesell Street Hayward, CA 94545 UNITED STATES		


Goods/Services Affected by Opposition


Class 001. First Use: 2006/06/15 First Use In Commerce: 2006/06/15 All goods and services in the class are opposed, namely: Antioxidants and proteins used in the manufacture of cosmetics, beverages, foodproducts and food supplements
Class 005. First Use: 2001/10/02 First Use In Commerce: 2001/10/02 All goods and services in the class are opposed, namely: Antioxidant polyphenols derived from olives used as an ingredient in nutraceuticals for use as dietary supplement to beingested orally; food supplements; dietary food supplements; nutraceuticals foruse as a dietary supplement; dietetic foods, namely, baked goods, sweets, candyand gum adapted for medical use; nutritional food additives for medical purposes in the nature of natural food extractsderived from olive, fruits and vegetables; plant extracts for medical, veterinary and pharmaceutical purposes

Grounds for Opposition


False suggestion of a connection	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)
Other	Prior use of the mark as a trade name.

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	939378	Application Date	02/12/1971
Registration Date	08/01/1972	Foreign Priority Date	NONE
Word Mark	HYDROX OPTIMATES CHEMICALS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 1913/03/22 First Use In Commerce: 1913/03/22 HYDROGEN PEROXIDE		

U.S. Registration No.	4576307	Application Date	02/21/2012
Registration Date	07/29/2014	Foreign Priority Date	NONE
Word Mark	HYDROX		
Design Mark			
Description of Mark	The mark consists of the term "HYDROX" in white stylized lettering contained within a blue ellipse design.		
Goods/Services	<p>Class 003. First use: First Use: 1982/06/01 First Use In Commerce: 1982/06/01 Hydrogen peroxide for use on the hair</p> <p>Class 005. First use: First Use: 1972/08/01 First Use In Commerce: 1972/08/01 Hand sanitizer, alcohol gel for medicinal purposes, alcohol gel for topical purposes, antibacterial alcohol gel for use as a skin sanitizer, isopropyl alcohol for medical use; Hydrogen peroxide for medical use</p> <p>Class 039. First use: First Use: 1985/03/01 First Use In Commerce: 1985/03/01 contract packaging of drugs and health and beauty products for others</p>		

	Class 040. First use: First Use: 1985/03/01 First Use In Commerce: 1985/03/01 contract manufacturing in the field of drugs, health and beauty products for others Class 042. First use: First Use: 1985/03/01 First Use In Commerce: 1985/03/01 research and development of new products in the area of drug products, health and beauty products
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U.S. Registration No.	4913928	Application Date	02/21/2012
Registration Date	03/08/2016	Foreign Priority Date	NONE
Word Mark	HYDROX LABORATORIES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 1985/03/01 First Use In Commerce: 1985/03/01 contract packaging of drugs and health and beauty products for others Class 040. First use: First Use: 1985/03/01 First Use In Commerce: 1985/03/01 contract manufacturing in the field of drugs, health and beauty products for others Class 042. First use: First Use: 1985/03/01 First Use In Commerce: 1985/03/01 research and development of new products in the area of drug products, health and beauty products		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	The trademark and trade name HYDROX		
Goods/Services	hydrogen peroxide, personal care products, hand hygiene, first aid antiseptics, beauty products, and surgical instrument care and miscellaneous chemical manufacturing.		

Attachments	72383721#TMSN.png(bytes) 85548268#TMSN.png(bytes) 85548295#TMSN.png(bytes) 20160413171654.pdf(1818444 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/jmfaier/
Name	James M Faier
Date	04/13/2016

I certify that this correspondence (Notice of Opposition) is being uploaded in the
TTAB Estta database,
on 13 April 2016

signature: /jamesmichaelfaier/

name of person signing certificate: James Michael Faier.

**In the United States Patent and Trademark Office
Before the Trademark Trial and Appeal Board**

Hydrox Chemical Company, Inc.,
an Illinois corporation,

Opposer,

vs.

CreAgri, Inc.,
a California corporation,

Applicant.

Opposition No. _____

Mark: HIDROX

SN 86/708,684**Publication Date: 15 December 2015**

Filed: 29 July 2015

Notice of Opposition

Hydrox Chemical Company, Inc. , an Illinois corporation, located and doing business at 825-B Toll Gate Road, Elgin, IL 60123, believes that it will be damaged by registration of the mark shown in Serial Number **86/708,684** and hereby opposes the same.

Description of Applicant's Application

Applicant: CreAgri, Inc., a California corporation

Applicant's Address: 25565 Whitesell Street, Hayward, CA 94545

Application filing date: 29 July 2015

Published for Opposition in the Official Gazette of 15 December 2015

Mark: HIDROX

In International Class 001 for "Antioxidants and proteins used in the manufacture of cosmetics, beverages, food products and food supplements" and

In International Class 005 for "Antioxidant polyphenols derived from olives used as an ingredient in nutraceuticals for use as dietary supplement to be ingested orally; food supplements; dietary food supplements; nutraceuticals for use as a dietary supplement; dietetic foods, namely, baked goods, sweets, candy and gum adapted for medical use; nutritional food additives for medical purposes in the nature of natural food extracts derived from olive, fruits and vegetables; plant extracts for medical, veterinary and pharmaceutical purposes."

With regard to class 001, Applicant claimed first use anywhere of 15 June 2006. With regard to class 001, Applicant claimed first use in commerce that the U.S. Congress may regulate for goods in class 001 on 15 June 2006. With regard to class 005, Applicant claimed first use anywhere of 02 October 2001. With regard to class 001, Applicant claimed first use in commerce that the U.S. Congress may regulate for goods in class 001 on 02 October 2001.

Grounds for Opposition

As grounds for this opposition, Opposer alleges the following:

1. Ownership of U.S. Trademark Registration No. 0939378

Opposer is the owner of U.S. Trademark Registration No. **0939378** for the mark **HYDROX**

OPTIMATES CHEMICALS in International Class 003 for "Hydrogen Peroxide" The mark was

registered on the Principal Register on **01 August 1972**. Said registration was based on an application filed in the U.S. Patent and Trademark Office on **12 February 1971**, which is a date prior to the date of filing of applicant's application and prior to the date of applicant's claimed date of first use. Said registered mark of opposer is valid and subsisting and is prima facie evidence of opposer's exclusive right to use said mark in commerce on the **goods** specified in said registration. In view of the similarity of the respective marks and the related nature of the services of the respective parties, it is alleged that applicant's mark so resembles opposer's registered mark, as to be likely to cause confusion, or to cause mistake or to deceive. Pursuant to T.M.R.P. 2.122(d), two certified copies of the registration are attached to be received into evidence by the Board.

2. Ownership of U.S. Trademark Registration No. 4576307

Opposer is the owner of U.S. Trademark Registration No. **4576307** for the mark "**HYDROX**" for: "International Class 3 bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices; International Class 5 pharmaceutical and veterinary preparations; sanitary preparations for medical purposes; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides; International Class 39 transport; packaging and storage of goods; travel arrangement; International Class 40 treatment of materials; and International Class 42 Scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software; legal services;" which was registered on the Principal Register on **29 July 2014**. Said registration was based on an application filed in the U.S. Patent and Trademark Office on **21 February 2012**, which is a date prior to the date of filing of applicant's application. Said registered mark of opposer is valid and subsisting and is prima facie evidence of opposer's exclusive right to use said mark in commerce on the **goods and services** specified in said registration. In view of the similarity of the respective marks and the related nature of the services

of the respective parties, it is alleged that applicant's mark so resembles opposer's registered mark, as to be likely to cause confusion, or to cause mistake or to deceive. Pursuant to T.M.R.P. 2.122(d), two copies of the registration with status sheet are attached to be received into evidence by the Board.

3. Ownership of U.S. Trademark Registration No. 4913928

Opposer is the owner of U.S. Trademark Registration No. **4913928** for the mark "**HYDROX LABORATORIES**" for: International Class 039 for "contract packaging of drugs and health and beauty products for others," Class 040 for "contract manufacturing in the field of drugs, health and beauty products for others," and International Class 042 for "research and development of new products in the area of drug products, health and beauty products" which was registered on the Principal Register on **08 March 2016**. Said registration was based on an application filed in the U.S. Patent and Trademark Office on **21 February 2012**, which is a date prior to the date of filing of applicant's application. Said registered mark of opposer is valid and subsisting and is prima facie evidence of opposer's exclusive right to use said mark in commerce on the **services** specified in said registration. In view of the similarity of the respective marks and the related nature of the services of the respective parties, it is alleged that applicant's mark so resembles opposer's registered mark, as to be likely to cause confusion, or to cause mistake or to deceive. Pursuant to T.M.R.P. 2.122(d), two copies of the registration with status sheet are attached to be received into evidence by the Board.

4. Prior Adoption and Use of Similar Mark or Trade Name

Opposer, since years before the filing of applicant's application has been and is now using the mark HYDROX in connection with the sale of hydrogen peroxide, personal care products, hand hygiene, first aid antiseptics, beauty products, and surgical instrument care and miscellaneous chemical manufacturing. Opposer, since years before the filing of applicant's application has been and is now using the tradename HYDROX in connection with the sale of hydrogen peroxide, personal care products, hand hygiene, first aid antiseptics, beauty products, and surgical

instrument care and miscellaneous chemical manufacturing. Said use has been valid and continuous since said date of first use and has not been abandoned. Said mark of Opposer is symbolic of extensive good will and consumer recognition built up by opposer through substantial amounts of time and effort in advertising and promotion. In view of the similarity of the respective marks and the related nature of the goods and services of the respective parties, it is alleged that applicant's mark so resembles opposer's mark previously used in the United States, and not abandoned, as to be likely to cause confusion, or to cause mistake, or to deceive. In view of the similarity of Applicant's mark and Opposer's tradename and the related nature of the services of the respective parties, it is alleged that Applicant's mark so resembles Opposer's tradename previously used in the United States, and not abandoned, as to be likely to cause confusion, or to cause mistake, or to deceive.

4. Opposition Based on Lanham Act §2(a)

Opposer, since years before Applicant filed its application has been and is now operating under the designation HYDROX in the area of hydrogen peroxide, personal care products, hand hygiene, first aid antiseptics, beauty products, and surgical instrument care and miscellaneous chemical manufacturing. Said use has been valid and continuous since said date of first use and the relevant class of the public has come to associate Opposer with said designation. In view of the similarity of Applicant's mark with Opposer's designation, and in view of the related nature of the uses thereof, it is alleged that Applicant's mark consists of and comprises matter that may disparage and falsely suggest a connection with Opposer.

WHEREFORE, Opposer prays that said application Serial Number **86/708,684** be rejected, that no

registration be issued thereon to applicant, and that this opposition be sustained in favor of Opposer.

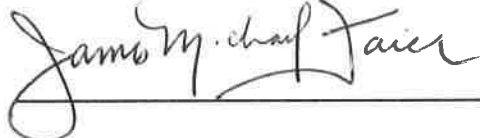
Power of Attorney

Opposer hereby appoints James Michael Faier (USPTO #56731), member of the bar of Illinois, Faier & Faier P.C., 566 W. Adams St., Suite 600, Chicago, IL 60661 USA, to act as attorney for Opposer herein, with full power to prosecute said opposition, to transact all relevant business with the Patent and Trademark Office and in the United States Courts and to receive all official communications in connection with this opposition.

Opposer submits a fee of \$600 for this opposition. If the fees at any time tendered in this proceeding are deemed insufficient, then please take those fees from Faier & Faier P.C. deposit account 06-0040.

**Hydrox Chemical Company, Inc.
an Illinois corporation**

by:

A handwritten signature in cursive script, reading "James Michael Faier", written over a horizontal line.

**James Michael Faier
Attorney for Opposer**

CERTIFICATE OF SERVICE

I, James Michael Faier, an attorney, certify that I served on this date a copy of the foregoing

NOTICE OF OPPOSITION upon counsel of record by depositing a copy thereof in the United

States Mail, postage prepaid and addressed as follows:

Ms. Cynthia R. Adwere
Attorney
Law Office of Cynthia R. Adwere
2625 Middlefield Road #360
Palo Alto, CA 94306-2516

Dated this 13th day of April 2016


James Michael Faier

Signed: 13th day of April 2016

Int. Cl.: 3

Prior U.S. Cl.: 6

United States Patent and Trademark Office
10 Year Renewal

Reg. No. 939,378
Registered Aug. 1, 1972
Renewal Term Begins Aug. 1, 1992

SERVICE MARK
PRINCIPAL REGISTER



HYDROX CHEMICAL CO. (ILLINOIS
CORPORATION)
825-B TOLL GATE ROAD
ELGIN, IL

FOR: HYDROGEN PEROXIDE, IN
CLASS 6 (INT. CL. 3).
FIRST USE 3-22-1913; IN COMMERCE
3-22-1913.

NO CLAIM TO THE EXCLUSIVE USE
OF THE WORD "CHEMICALS" IS
MADE.

SER. NO. 72-383,721, FILED 2-12-1971.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on Dec. 1, 1992.*

COMMISSIONER OF PATENTS AND TRADEMARKS

United States Patent Office

939,378
Registered Aug. 1, 1972

PRINCIPAL REGISTER Trademark

Ser. No. 383,721, filed Feb. 12, 1971



Hydrox Chemical Co. (Illinois corporation)
227 W. Huron St.
Chicago, Ill. 60610

For: HYDROGEN PEROXIDE, in CLASS 6 (INT.
CL. 3).

First use Mar. 22, 1913; in commerce Mar. 22, 1913.
No claim to the exclusive use of the word "Chemicals"
is made.

J. C. DEMOS, Examiner

Int. Cl.: 3

Prior U.S. Cl.: 6

United States Patent and Trademark Office

10 Year Renewal

Reg. No. 939,378

Registered Aug. 1, 1972

Renewal Term Begins Aug. 1, 1992

**SERVICE MARK
PRINCIPAL REGISTER**



HYDROX CHEMICAL CO. (ILLINOIS
CORPORATION)
825-B TOLL GATE ROAD
ELGIN, IL

FOR: HYDROGEN PEROXIDE, IN
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FIRST USE 3-22-1913; IN COMMERCE
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United States Patent Office

939,378
Registered Aug. 1, 1972

PRINCIPAL REGISTER Trademark

Ser. No. 383,721, filed Feb. 12, 1971



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227 W. Huron St.
Chicago, Ill. 60610

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CL. 3).
First use Mar. 22, 1913; in commerce Mar. 22, 1913.
No claim to the exclusive use of the word "Chemicals"
is made.

J. C. DEMOS, Examiner

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Mark: HYDROX OPTIMATES CHEMICALS



US Serial Number: 72383721

Application Filing Date: Feb. 12, 1971

US Registration Number: 939378

Registration Date: Aug. 01, 1972

Register: Principal

Mark Type: Trademark

Status: The Trademark Trial and Appeal Board has terminated a cancellation proceeding. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: Aug. 26, 2015

Mark Information

Mark Literal Elements: HYDROX OPTIMATES CHEMICALS

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Disclaimer: NO CLAIM TO THE EXCLUSIVE USE OF THE WORD "CHEMICALS" IS MADE.

Design Search Code(s): 03.15.01 - Eagles
03.15.19 - Birds or bats in flight or with outspread wings
03.21.01 - Serpent and staff (caduceus); Caduceus
24.01.03 - Shields or crests with letters, punctuation or inscriptions contained therein or superimposed thereon
26.03.13 - Ovals, exactly two (not concentric); Two ovals
26.03.16 - Ovals touching or intersecting
26.03.17 - Ovals, concentric; Ovals within ovals; Concentric ovals and ovals within ovals; Concentric ovals
26.03.21 - Ovals that are completely or partially shaded

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [] indicate deleted goods/services.
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks * * identify additional (new) wording in the goods/services.

For: HYDROGEN PEROXIDE

International Class(es): 003

U.S Class(es): 006 - Primary Class

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 22, 1913

Use in Commerce: Mar. 22, 1913

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: HYDROX CHEMICAL CO.

Owner Address: 825-B TOLL GATE ROAD
ELGIN, ILLINOIS 60123
UNITED STATES

Legal Entity Type: CORPORATION

State or Country ILLINOIS
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: James Michael Faier

Docket Number: 966

Attorney Primary jmfaier@faier.com
Email Address:

Attorney Email No
Authorized:

Correspondent

Correspondent STEVEN S SHONDER
Name/Address: LAW OFFICES OF STEVEN S SHONDER
77 W WACKER DR STE 4800
CHICAGO, ILLINOIS 60601
UNITED STATES

Phone: 3123829400

Fax: 3123829200

Correspondent e- jmfaier@faier.com
mail:

Correspondent e- Yes
mail Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 26, 2015	TTAB RELEASE CASE TO TRADEMARKS	59949
Aug. 26, 2015	CANCELLATION TERMINATED NO. 999999	59949
Aug. 26, 2015	CANCELLATION DISMISSED NO. 999999	59949
Sep. 18, 2014	CANCELLATION INSTITUTED NO. 999999	59949
Jun. 27, 2012	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 10, 2012	REGISTERED AND RENEWED (THIRD RENEWAL - 10 YRS)	77315
Jan. 10, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	77315
Jan. 10, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	77315
Dec. 06, 2011	TEAS SECTION 8 & 9 RECEIVED	
Sep. 03, 2008	CASE FILE IN TIGRS	
Oct. 04, 2002	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	
Oct. 04, 2002	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jul. 17, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jul. 17, 2002	PAPER RECEIVED	
Oct. 21, 1992	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Sep. 03, 1992	POST REGISTRATION ACTION CORRECTION	
Jul. 30, 1992	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8	
May 08, 1978	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK	

Maintenance Filings or Post Registration Information

Affidavit of Section 8 - Accepted
Continued Use:

Affidavit of Section 15 - Accepted
Incontestability:

Renewal Date: Aug. 01, 2012

TM Staff and Location Information

TM Staff Information - None
File Location

Assignment Abstract Of Title Information**Summary**

Total Assignments: 2

Registrant: HYDROX CHEMICAL CO.

Assignment 1 of 2

Conveyance: SECURITY INTEREST

Reel/Frame: 3010/0888

Pages: 9

Date Recorded: Jan. 14, 2005

Supporting Documents: [assignment-tm-3010-0888.pdf](#)**Assignor**Name: [HYDROX CHEMICAL COMPANY, INC.](#)

Execution Date: Jan. 13, 2005

Legal Entity Type: CORPORATION

State or Country: No Place Where Organized Found
Where Organized:**Assignee**Name: [TEXTRON FINANCIAL CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country: No Place Where Organized Found
Where Organized:Address: 4949 SW MEADOWS ROAD, SUITE 500
LAKE OSWEGO, OREGON 97035**Correspondent**

Correspondent Name: HEATHER R. KLINTER

Correspondent Address: 888 SW FIFTH AVENUE, SUITE 1600
PORTLAND OR 97204**Domestic Representative - Not Found****Assignment 2 of 2**

Conveyance: RELEASE OF ASSIGNMENT

Reel/Frame: 4803/0528

Pages: 4

Date Recorded: Jun. 11, 2012

Supporting Documents: [assignment-tm-4803-0528.pdf](#)**Assignor**Name: [TEXTRON FINANCIAL CORPORATION](#)

Execution Date: Jun. 05, 2012

Legal Entity Type: CORPORATION

State or Country: DELAWARE
Where Organized:**Assignee**Name: [HYDROX CHEMICAL COMPANY, INC.](#)

Legal Entity Type: CORPORATION

State or Country: ILLINOIS
Where Organized:Address: 825 B TOLLGATE ROAD
ELGIN, ILLINOIS 60123**Correspondent**

Correspondent Name: THOMAS D. MURRAY

Correspondent Address: 101 N. WACKER DRIVE
SUITE 101
CHICAGO, ILLINOIS 60606**Domestic Representative - Not Found****Proceedings****Summary**

Number of Proceedings: 5

Type of Proceeding: Opposition**Proceeding Number:** 91222912**Filing Date:** Jul 22, 2015**Status:** Terminated**Status Date:** Nov 25, 2015**Interlocutory Attorney:** ROBERT COGGINS**Defendant****Name:** nanoDERM Sciences, Inc.**Correspondent Address:** BERNARD G PIKE
PIKE IP LAW PLLC
PO BOX 8592
RICHMOND VA , 23226
UNITED STATES**Correspondent e-mail:** mail@pikeiplaw.com , bernard.pike@pikeiplaw.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HYDRODEX	Abandoned - After Inter-Partes Decision	<u>86350970</u>	

Plaintiff(s)**Name:** Hydrox Chemical Company, Inc.**Correspondent Address:** JAMES M FAIER
FAIER & FAIER PC
566 W ADAMS ST SUITE 600
CHICAGO IL , 60661
UNITED STATES**Correspondent e-mail:** jmfaier@faier.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HYDROX	Cancellation Terminated - See TTAB Records	<u>85548268</u>	<u>4576307</u>
HYDROX OPTIMATES CHEMICALS	Cancellation Terminated - See TTAB Records	<u>72383721</u>	<u>939378</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 22, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 22, 2015	Aug 31, 2015
3	PENDING, INSTITUTED	Jul 22, 2015	
4	NOTICE OF DEFAULT	Sep 23, 2015	
5	BD DECISION: SUSTAINED	Nov 25, 2015	
6	TERMINATED	Nov 25, 2015	

Type of Proceeding: Opposition**Proceeding Number:** 91222913**Filing Date:** Jul 22, 2015**Status:** Terminated**Status Date:** Dec 12, 2015**Interlocutory Attorney:** YONG OH (RICHARD) KIM**Defendant****Name:** Nextcell Medical Company**Correspondent Address:** Kathryn Starshak
K&L GATES LLP
PO BOX 1135
CHICAGO IL , 60690-1135
UNITED STATES**Correspondent e-mail:** ttablitigationdocket@klgates.com , kate.starshak@klgates.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
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HYDROXYSMOOTH

Abandoned - After Inter-Partes Decision

86360514

Plaintiff(s)**Name:** Hydrox Chemical Company, Inc.**Correspondent Address:** JAMES M FAIER
FAIER & FAIER PC
566 W ADAMS ST, SUITE 600
CHICAGO IL, 60661
UNITED STATES**Correspondent e-mail:** jmfaier@faier.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HYDROX	Cancellation Terminated - See TTAB Records	85548268	4576307
HYDROX OPTIMATES CHEMICALS	Cancellation Terminated - See TTAB Records	72393721	939378

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 22, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 22, 2015	Aug 31, 2015
3	PENDING, INSTITUTED	Jul 22, 2015	
4	CHANGE OF CORRESP ADDRESS	Aug 05, 2015	
5	D MOT FOR EXT W/ CONSENT	Aug 28, 2015	
6	EXTENSION OF TIME GRANTED	Aug 28, 2015	
7	ANSWER	Sep 30, 2015	
8	W/DRAW OF APPLICATION	Nov 24, 2015	
9	BD DECISION: DISMISSED W/O PREJ	Dec 12, 2015	
10	TERMINATED	Dec 12, 2015	

Type of Proceeding: Opposition**Proceeding Number:** [91222798](#)**Filing Date:** Jul 01, 2015**Status:** Pending**Status Date:** Jul 01, 2015**Interlocutory Attorney:** MIKE WEBSTER**Defendant****Name:** Hydrox Group Ltd**Correspondent Address:** MICHAEL J HYNAC
HYNAC & ASSOCIATES PC
812 SOUTH COURTHOUSE RD
ARLINGTON VA, 22204
UNITED STATES**Correspondent e-mail:** mike@hynak.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HYDROCK	Opposition Pending	79154168	
HYDROCK	Opposition Pending	79154171	

Plaintiff(s)**Name:** Hydrox Chemical Company, Inc.**Correspondent Address:** JAMES M FAIER
FAIER & FAIER PC
566 W ADAMS ST SUITE 600
CHICAGO IL, 60661
UNITED STATES**Correspondent e-mail:** jmfaier@faier.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
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HYDROX

Cancellation Terminated - See TTAB Records

85548268

4576307

HYDROX OPTIMATES CHEMICALS

Cancellation Terminated - See TTAB Records

72383721

939378

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 01, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 14, 2015	Aug 23, 2015
3	PENDING, INSTITUTED	Jul 14, 2015	
4	STIP FOR EXT	Aug 06, 2015	
5	EXTENSION OF TIME GRANTED	Aug 06, 2015	
6	STIP FOR EXT	Oct 02, 2015	
7	EXTENSION OF TIME GRANTED	Oct 02, 2015	
8	STIP FOR EXT	Dec 07, 2015	
9	EXTENSION OF TIME GRANTED	Dec 07, 2015	
10	STIP FOR EXT	Jan 15, 2016	
11	EXTENSION OF TIME GRANTED	Jan 15, 2016	
12	STIP FOR EXT	Feb 17, 2016	
13	EXTENSION OF TIME GRANTED	Feb 17, 2016	

Type of Proceeding: Opposition

Proceeding Number: 91222120

Filing Date: Mar 24, 2015

Status: Pending

Status Date: May 28, 2015

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: Jared Wheat

Correspondent Address: ANTHONY E BENNETT
HOFFMANN & BARON LLP
6900 JERICHO TPKE
SYOSSET NY . 11791-4499
UNITED STATES

Correspondent e-mail: aebdocket@hbiplaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HYDROXYELITE	Opposition Pending	86328272	
	Plaintiff(s)		

Name: Hydrox Chemical Company, Inc.

Correspondent Address: JAMES MICHAEL FAIER
FAIER & FAIER PC
566 W ADAMS ST SUITE 600
CHICAGO IL , 60601
UNITED STATES

Correspondent e-mail: jmfaier@faier.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HYDROX	Cancellation Terminated - See TTAB Records	85548268	4576307
HYDROX OPTIMATES CHEMICALS	Cancellation Terminated - See TTAB Records	72383721	939378

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 24, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 28, 2015	Jul 07, 2015
3	PENDING, INSTITUTED	May 28, 2015	
4	STIP FOR EXT	Jul 01, 2015	
5	EXTENSION OF TIME GRANTED	Jul 01, 2015	
	STIP FOR EXT		

6		Aug 04, 2015
7	EXTENSION OF TIME GRANTED	Aug 04, 2015
8	D MOT FOR EXT W/ CONSENT	Oct 01, 2015
9	EXTENSION OF TIME GRANTED	Oct 01, 2015
10	ANSWER	Nov 03, 2015
11	STIP TO SUSP PEND SETTL NEGOTIATIONS	Dec 20, 2015
12	SUSPENDED	Dec 20, 2015

Type of Proceeding: Cancellation

Proceeding Number: 92059949

Filing Date: Sep 17, 2014

Status: Terminated

Status Date: Aug 26, 2015

Interlocutory Attorney: ROBERT COGGINS

Defendant

Name: Hydrox Chemical Company, Inc.

Correspondent Address: STEVEN S SHONDER
LAW OFFICES OF STEVEN S SHONDER
77 W WACKER DR STE 4800
CHICAGO IL , 60601
UNITED STATES

Correspondent e-mail: peter@stamatislegal.com , Laura@StamatisLegal.com , steve@shonderlegal.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HYDROX OPTIMATES CHEMICALS	Cancellation Terminated - See TTAB Records	<u>72383721</u>	<u>939378</u>

Plaintiff(s)

Name: Diversey, Inc

Correspondent Address: JAMES R STEFFEN
FAEGRE BAKER DANIELS LLP
90 S 7TH ST , 2200 WELLS FARGO CENTER
MINNEAPOLIS MN , 55402
UNITED STATES

Correspondent e-mail: david.merritt@faegrebd.com , james.steffen@faegrebd.com , sarah.house@faegrebd.com , MPLSTrademarkCorrespondence@FaegreBD.com

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 17, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 18, 2014	Oct 28, 2014
3	PENDING, INSTITUTED	Sep 18, 2014	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 29, 2014	
5	D APPEARANCE / POWER OF ATTORNEY	Sep 29, 2014	
6	D MOT TO SUSP PEND DISP CIV ACTION	Sep 29, 2014	
7	P OPP/RESP TO MOTION	Oct 16, 2014	
8	SUSP PEND DISP OF CIVIL ACTION	Oct 20, 2014	
9	W/DRAW OF PET FOR CANCELLATION	Aug 25, 2015	
10	BD DECISION: DISMISSED W/O PREJ	Aug 26, 2015	
11	TERMINATED	Aug 26, 2015	

United States of America

United States Patent and Trademark Office



Reg. No. 4,576,307

Registered July 29, 2014

Int. Cls.: 3, 5, 39, 40, and 42

HYDROX CHEMICAL COMPANY, INC. (ILLINOIS CORPORATION)
825 - B TOLLGATE ROAD
ELGIN, IL 60123

FOR: HYDROGEN PEROXIDE FOR USE ON THE HAIR, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FIRST USE 6-1-1982; IN COMMERCE 6-1-1982.

TRADEMARK

SERVICE MARK

PRINCIPAL REGISTER

FOR: HAND SANITIZER, ALCOHOL GEL FOR MEDICINAL PURPOSES, ALCOHOL GEL FOR TOPICAL PURPOSES, ANTIBACTERIAL ALCOHOL GEL FOR USE AS A SKIN SANITIZER, ISOPROPYL ALCOHOL FOR MEDICAL USE; HYDROGEN PEROXIDE FOR MEDICAL USE, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 8-1-1972; IN COMMERCE 8-1-1972.

FOR: CONTRACT PACKAGING OF DRUGS AND HEALTH AND BEAUTY PRODUCTS FOR OTHERS, IN CLASS 39 (U.S. CLS. 100 AND 105).

FIRST USE 3-1-1985; IN COMMERCE 3-1-1985.

FOR: CONTRACT MANUFACTURING IN THE FIELD OF DRUGS, HEALTH AND BEAUTY PRODUCTS FOR OTHERS, IN CLASS 40 (U.S. CLS. 100, 103 AND 106).

FIRST USE 3-1-1985; IN COMMERCE 3-1-1985.

FOR: RESEARCH AND DEVELOPMENT OF NEW PRODUCTS IN THE AREA OF DRUG PRODUCTS, HEALTH AND BEAUTY PRODUCTS, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 3-1-1985; IN COMMERCE 3-1-1985.

OWNER OF U.S. REG. NO. 939,378.

THE COLOR(S) BLUE AND WHITE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF THE TERM "HYDROX" IN WHITE STYLIZED LETTERING CONTAINED WITHIN A BLUE ELLIPSE DESIGN.



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

Reg. No. 4,576,307 SN 85-548,268, FILED 2-21-2012.

LINDA E. BLOHM, EXAMINING ATTORNEY

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

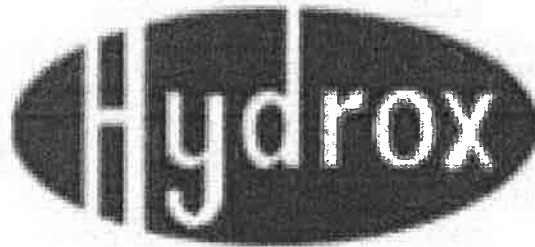
**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

United States of America

United States Patent and Trademark Office



Reg. No. 4,576,307

Registered July 29, 2014

Int. Cls.: 3, 5, 39, 40, and 42

HYDROX CHEMICAL COMPANY, INC. (ILLINOIS CORPORATION)
825 - B TOLLGATE ROAD
ELGIN, IL 60123

FOR: HYDROGEN PEROXIDE FOR USE ON THE HAIR, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FIRST USE 6-1-1982; IN COMMERCE 6-1-1982.

TRADEMARK

SERVICE MARK

PRINCIPAL REGISTER

FOR: HAND SANITIZER, ALCOHOL GEL FOR MEDICINAL PURPOSES, ALCOHOL GEL FOR TOPICAL PURPOSES, ANTIBACTERIAL ALCOHOL GEL FOR USE AS A SKIN SANITIZER, ISOPROPYL ALCOHOL FOR MEDICAL USE; HYDROGEN PEROXIDE FOR MEDICAL USE, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 8-1-1972; IN COMMERCE 8-1-1972.

FOR: CONTRACT PACKAGING OF DRUGS AND HEALTH AND BEAUTY PRODUCTS FOR OTHERS, IN CLASS 39 (U.S. CLS. 100 AND 105).

FIRST USE 3-1-1985; IN COMMERCE 3-1-1985.

FOR: CONTRACT MANUFACTURING IN THE FIELD OF DRUGS, HEALTH AND BEAUTY PRODUCTS FOR OTHERS, IN CLASS 40 (U.S. CLS. 100, 103 AND 106).

FIRST USE 3-1-1985; IN COMMERCE 3-1-1985.

FOR: RESEARCH AND DEVELOPMENT OF NEW PRODUCTS IN THE AREA OF DRUG PRODUCTS, HEALTH AND BEAUTY PRODUCTS, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 3-1-1985; IN COMMERCE 3-1-1985.

OWNER OF U.S. REG. NO. 939,378.

THE COLOR(S) BLUE AND WHITE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF THE TERM "HYDROX" IN WHITE STYLIZED LETTERING CONTAINED WITHIN A BLUE ELLIPSE DESIGN.



Nichelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

Reg. No. 4,576,307 SN 85-548,268, FILED 2-21-2012.

LINDA E. BLOHM, EXAMINING ATTORNEY

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

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See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

Generated on: This page was generated by TSDR on 2016-04-13 17:59:06 EDT

Mark: HYDROX



US Serial Number: 85548268

Application Filing Date: Feb. 21, 2012

US Registration Number: 4576307

Registration Date: Jul. 29, 2014

Register: Principal

Mark Type: Trademark, Service Mark

Status: The Trademark Trial and Appeal Board has terminated a cancellation proceeding. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: Sep. 09, 2015

Publication Date: Jan. 01, 2013

Notice of Allowance Date: Apr. 30, 2013

Mark Information

Mark Literal Elements: HYDROX

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of the term "HYDROX" in white stylized lettering contained within a blue ellipse design.

Color Drawing: Yes

Color(s) Claimed: The color(s) blue and white is/are claimed as a feature of the mark.

Design Search Code(s): 26.19.25 - Geometric solids other than spheres, cylinders, cones, cube, prisms or pyramids

Related Properties Information

Claimed Ownership of US Registrations: 0939378

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [] indicate deleted goods/services;
- Double parenthesis ({...}) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks * identify additional (new) wording in the goods/services.

For: Hydrogen peroxide for use on the hair

International Class(es): 003 - Primary Class

U.S. Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 01, 1982

Use in Commerce: Jun. 01, 1982

For: Hand sanitizer, alcohol gel for medicinal purposes, alcohol gel for topical purposes, antibacterial alcohol gel for use as a skin sanitizer, isopropyl alcohol for medical use; Hydrogen peroxide for medical use

International Class(es): 005 - Primary Class

U.S. Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 01, 1972

Use in Commerce: Aug. 01, 1972

For: contract packaging of drugs and health and beauty products for others

International Class(es): 039 - Primary Class

U.S Class(es): 100, 105

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 01, 1985

Use in Commerce: Mar. 01, 1985

For: contract manufacturing in the field of drugs, health and beauty products for others

International Class(es): 040 - Primary Class

U.S Class(es): 100, 103, 106

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 01, 1985

Use in Commerce: Mar. 01, 1985

For: research and development of new products in the area of drug products, health and beauty products

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 01, 1985

Use in Commerce: Mar. 01, 1985

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Hydrox Chemical Company, Inc.

Owner Address: 825 - B Tollgate Road
Elgin, ILLINOIS 60123
UNITED STATES

Legal Entity Type: CORPORATION

State or Country ILLINOIS
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: James Michael Faier

Docket Number: 9185

Attorney Primary Email Address: jmfaier@faier.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: STEVEN S SHONDER
LAW OFFICES OF STEVEN S SHONDER
77 WEST WACKER DRIVE
SUITE 4800
CHICAGO, ILLINOIS 60601
UNITED STATES

Phone: 3123829400

Fax: 3123829200

Correspondent e-mail: jmfaier@faier.com ipdocket@faier.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 09, 2015	TTAB RELEASE CASE TO TRADEMARKS	59971
Sep. 09, 2015	CANCELLATION TERMINATED NO. 999999	59971
Sep. 09, 2015	CANCELLATION DISMISSED NO. 999999	59971
Sep. 18, 2014	CANCELLATION INSTITUTED NO. 999999	59971
Jul. 29, 2014	REGISTERED-PRINCIPAL REGISTER	
Jun. 24, 2014	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jun. 23, 2014	LAW OFFICE REGISTRATION REVIEW COMPLETED	73296
Jun. 19, 2014	ASSIGNED TO LIE	73296
Jun. 13, 2014	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 05, 2014	STATEMENT OF USE PROCESSING COMPLETE	61813
Apr. 30, 2014	USE AMENDMENT FILED	61813
May 23, 2014	CASE ASSIGNED TO INTENT TO USE PARALEGAL	61813
Apr. 30, 2014	TEAS STATEMENT OF USE RECEIVED	
Nov. 01, 2013	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Oct. 30, 2013	EXTENSION 1 GRANTED	98765
Oct. 30, 2013	EXTENSION 1 FILED	98765
Oct. 30, 2013	TEAS EXTENSION RECEIVED	
Apr. 30, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 18, 2013	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Jan. 30, 2013	EXTENSION OF TIME TO OPPOSE RECEIVED	
Jan. 01, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 01, 2013	PUBLISHED FOR OPPOSITION	
Dec. 12, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Nov. 29, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Nov. 28, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 27, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Nov. 27, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Nov. 27, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Nov. 27, 2012	EXAMINERS AMENDMENT -WRITTEN	69197
Nov. 27, 2012	AMENDMENT FROM APPLICANT ENTERED	68171
Nov. 27, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	68171
Nov. 27, 2012	ASSIGNED TO LIE	68171
Oct. 30, 2012	FAX RECEIVED	
Apr. 30, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Apr. 30, 2012	NON-FINAL ACTION E-MAILED	6325
Apr. 30, 2012	NON-FINAL ACTION WRITTEN	69197
Apr. 26, 2012	ASSIGNED TO EXAMINER	69197
Feb. 29, 2012	NOTICE OF DESIGN SEARCH CODE MAILED	
Feb. 28, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 24, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jun. 23, 2014

Proceedings

Summary

Number of 6

Proceedings:

Type of Proceeding: Opposition

Proceeding Number: 91222912

Filing Date: Jul 22, 2015

Status: Terminated

Status Date: Nov 25, 2015

Interlocutory Attorney: ROBERT COGGINS

Defendant

Name: nanoDERM Sciences, Inc.

Correspondent Address: BERNARD G PIKE
PIKE IP LAW PLLC
PO BOX 8592
RICHMOND VA , 23226
UNITED STATES

Correspondent e-mail: mail@pikeiplaw.com , bernard.pike@pikeiplaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HYDRODEX	Abandoned - After Inter-Partes Decision	<u>86350870</u>	
Plaintiff(s)			

Name: Hydrox Chemical Company, Inc.

Correspondent Address: JAMES M FAIER
FAIER & FAIER PC
566 W ADAMS ST SUITE 600
CHICAGO IL , 60661
UNITED STATES

Correspondent e-mail: jmfaier@faier.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HYDROX	Cancellation Terminated - See TTAB Records	<u>85548268</u>	<u>4576307</u>
HYDROX OPTIMATES CHEMICALS	Cancellation Terminated - See TTAB Records	<u>72383721</u>	<u>939378</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 22, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 22, 2015	Aug 31, 2015
3	PENDING, INSTITUTED	Jul 22, 2015	
4	NOTICE OF DEFAULT	Sep 23, 2015	
5	BD DECISION: SUSTAINED	Nov 25, 2015	
6	TERMINATED	Nov 25, 2015	

Type of Proceeding: Opposition

Proceeding Number: 91222913

Filing Date: Jul 22, 2015

Status: Terminated

Status Date: Dec 12, 2015

Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: Nextcell Medical Company

Correspondent Address: Kathryn Starshak
K&L GATES LLP
PO BOX 1135
CHICAGO IL , 60690-1135
UNITED STATES

Correspondent e-mail: ttablitigationdocket@klgates.com , kate.starshak@klgates.com

Associated marks

Serial Registration

Mark	Application Status	Number	Number
HYDROXYSMOOTH	Abandoned - After Inter-Partes Decision	<u>86380514</u>	
Plaintiff(s)			

Name: Hydrox Chemical Company, Inc.

Correspondent: JAMES M FAIER
Address: FAIER & FAIER PC
566 W ADAMS ST, SUITE 600
CHICAGO IL , 60661
UNITED STATES

Correspondent e-mail: jmfaier@faier.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HYDROX	Cancellation Terminated - See TTAB Records	<u>85548268</u>	<u>4576307</u>
HYDROX OPTIMATES CHEMICALS	Cancellation Terminated - See TTAB Records	<u>72383721</u>	<u>939378</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 22, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 22, 2015	Aug 31, 2015
3	PENDING, INSTITUTED	Jul 22, 2015	
4	CHANGE OF CORRESP ADDRESS	Aug 05, 2015	
5	D MOT FOR EXT W/ CONSENT	Aug 28, 2015	
6	EXTENSION OF TIME GRANTED	Aug 28, 2015	
7	ANSWER	Sep 30, 2015	
8	W/DRAW OF APPLICATION	Nov 24, 2015	
9	BD DECISION: DISMISSED W/O PREJ	Dec 12, 2015	
10	TERMINATED	Dec 12, 2015	

Type of Proceeding: Opposition

Proceeding Number: 91222798

Filing Date: Jul 01, 2015

Status: Pending

Status Date: Jul 01, 2015

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: Hydrock Group Ltd

Correspondent: MICHAEL J HYNAC
Address: HYNAC & ASSOCIATES PC
812 SOUTH COURTHOUSE RD
ARLINGTON VA , 22204
UNITED STATES

Correspondent e-mail: mike@hynak.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HYDROCK	Opposition Pending	<u>79154168</u>	
HYDROCK	Opposition Pending	<u>79154171</u>	

Plaintiff(s)

Name: Hydrox Chemical Company, Inc.

Correspondent: JAMES M FAIER
Address: FAIER & FAIER PC
566 W ADAMS ST SUITE 600
CHICAGO IL , 60661
UNITED STATES

Correspondent e-mail: jmfaier@faier.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HYDROX	Cancellation Terminated - See TTAB Records	<u>85548268</u>	<u>4576307</u>
HYDROX OPTIMATES CHEMICALS	Cancellation Terminated - See TTAB Records	<u>72383721</u>	<u>939378</u>

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 01, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 14, 2015	Aug 23, 2015
3	PENDING, INSTITUTED	Jul 14, 2015	
4	STIP FOR EXT	Aug 06, 2015	
5	EXTENSION OF TIME GRANTED	Aug 06, 2015	
6	STIP FOR EXT	Oct 02, 2015	
7	EXTENSION OF TIME GRANTED	Oct 02, 2015	
8	STIP FOR EXT	Dec 07, 2015	
9	EXTENSION OF TIME GRANTED	Dec 07, 2015	
10	STIP FOR EXT	Jan 15, 2016	
11	EXTENSION OF TIME GRANTED	Jan 15, 2016	
12	STIP FOR EXT	Feb 17, 2016	
13	EXTENSION OF TIME GRANTED	Feb 17, 2016	

Type of Proceeding: Opposition

Proceeding Number: 91222120

Filing Date: Mar 24, 2015

Status: Pending

Status Date: May 28, 2015

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: Jared Wheat

Correspondent Address: ANTHONY E BENNETT
HOFFMANN & BARON LLP
6900 JERICHO TPKE
SYOSSET NY, 11791-4499
UNITED STATES

Correspondent e-mail: aebdocket@hbiplaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HYDROXYELITE	Opposition Pending	<u>86328272</u>	

Plaintiff(s)

Name: Hydrox Chemical Company, Inc.

Correspondent Address: JAMES MICHAEL FAIER
FAIER & FAIER PC
566 WADAMS ST SUITE 600
CHICAGO IL, 60601
UNITED STATES

Correspondent e-mail: jmfaier@faier.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HYDROX	Cancellation Terminated - See TTAB Records	<u>85548268</u>	<u>4576307</u>
HYDROX OPTIMATES CHEMICALS	Cancellation Terminated - See TTAB Records	<u>72383721</u>	<u>939378</u>

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 24, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 28, 2015	Jul 07, 2015
3	PENDING, INSTITUTED	May 28, 2015	
4	STIP FOR EXT	Jul 01, 2015	

5	EXTENSION OF TIME GRANTED	Jul 01, 2015
6	STIP FOR EXT	Aug 04, 2015
7	EXTENSION OF TIME GRANTED	Aug 04, 2015
8	D MOT FOR EXT W/ CONSENT	Oct 01, 2015
9	EXTENSION OF TIME GRANTED	Oct 01, 2015
10	ANSWER	Nov 03, 2015
11	STIP TO SUSP PEND SETTL NEGOTIATIONS	Dec 20, 2015
12	SUSPENDED	Dec 20, 2015

Type of Proceeding: Cancellation

Proceeding Number: 92059971

Filing Date: Sep 17, 2014

Status: Terminated

Status Date: Sep 09, 2015

Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: Hydrox Chemical Company, Inc.

Correspondent Address: STEVEN S SHONDER
LAW OFFICES OF STEVEN S SHONDER
77 WEST WACKER DRIVE, SUITE 4800
CHICAGO IL , 60601
UNITED STATES

Correspondent e-mail: steve@shonderlegal.com , peter@stamatislegal.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HYDROX	Cancellation Terminated - See TTAB Records	85548268	4576307

Plaintiff(s)

Name: Diversey, Inc.

Correspondent Address: JAMES R STEFFEN
FAEGRE BAKER DANIELS LLP
2200 WELLS FARGO CENTER, 90 SOUTH SEVENTH STREET
MINNEAPOLIS MN , 55402
UNITED STATES

Correspondent e-mail: james.steffen@faegrebd.com

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 17, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 18, 2014	Oct 28, 2014
3	PENDING, INSTITUTED	Sep 18, 2014	
4	D APPEARANCE / POWER OF ATTORNEY	Sep 29, 2014	
5	D APPEARANCE / POWER OF ATTORNEY	Sep 29, 2014	
6	D MOT TO SUSP PEND DISP CIV ACTION	Sep 29, 2014	
7	P OPP/RESP TO MOTION	Oct 16, 2014	
8	SUSP PEND DISP OF CIVIL ACTION	Oct 28, 2014	
9	D MOT FOR EXT W/O CONSENT	Oct 28, 2014	
10	BOARD'S ORDER	Dec 05, 2014	
11	W/DRAW OF PET FOR CANCELLATION	Aug 25, 2015	
12	BD DECISION: DISMISSED W/O PREJ	Sep 09, 2015	
13	TERMINATED	Sep 09, 2015	

Type of Proceeding: Extension of Time

Proceeding Number: 85548268

Filing Date: Jan 30, 2013

Status: Terminated

Status Date: Mar 18, 2013

Interlocutory Attorney:

Defendant

Name: Hydrox Chemical Company, Inc.

Correspondent JAMES MICHAEL FAIER

Address: FAIER & FAIER P.C.

566 W ADAMS ST STE 600

CHICAGO IL , 60661-3632

UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
HYDROX	Cancellation Terminated - See TTAB Records	<u>85548268</u>	<u>4576307</u>
Potential Opposer(s)			

Name: Evonik Degussa GmbH

Correspondent Scott D. Woldow

Address: Smith, Gambrell & Russell, LLP

1130 Connecticut Avenue, NW, Suite 1130

Washington DC , 20036

UNITED STATES

Correspondent e-mail: sdwoldow@sgs.law.com

Prosecution History			
Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Jan 30, 2013	
2	EXTENSION OF TIME GRANTED	Jan 30, 2013	

United States of America

United States Patent and Trademark Office

HYDROX LABORATORIES

Reg. No. 4,913,928

Registered Mar. 8, 2016

Int. Cls.: 39, 40, and 42

SERVICE MARK

PRINCIPAL REGISTER

HYDROX CHEMICAL COMPANY, INC. (ILLINOIS CORPORATION)
825 - B TOLLGATE ROAD
ELGIN, IL 60123

FOR: CONTRACT PACKAGING OF DRUGS AND HEALTH AND BEAUTY PRODUCTS FOR OTHERS, IN CLASS 39 (U.S. CLS. 100 AND 105).

FIRST USE 3-1-1985; IN COMMERCE 3-1-1985.

FOR: CONTRACT MANUFACTURING IN THE FIELD OF DRUGS, HEALTH AND BEAUTY PRODUCTS FOR OTHERS, IN CLASS 40 (U.S. CLS. 100, 103 AND 106).

FIRST USE 3-1-1985; IN COMMERCE 3-1-1985.

FOR: RESEARCH AND DEVELOPMENT OF NEW PRODUCTS IN THE AREA OF DRUG PRODUCTS, HEALTH AND BEAUTY PRODUCTS, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 3-1-1985; IN COMMERCE 3-1-1985.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 939,378.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "LABORATORIES", APART FROM THE MARK AS SHOWN.

SN 85-548,295, FILED 2-21-2012.

LINDA E. BLOHM, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

United States of America

United States Patent and Trademark Office

HYDROX LABORATORIES

Reg. No. 4,913,928

Registered Mar. 8, 2016

Int. Cls.: 39, 40, and 42

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***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

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Generated on: This page was generated by TSDR on 2016-04-13 17:57:44 EDT

Mark: HYDROX LABORATORIES

HYDROX LABORATORIES

US Serial Number: 85548295

Application Filing Date: Feb. 21, 2012

US Registration Number: 4913928

Registration Date: Mar. 08, 2016

Register: Principal

Mark Type: Service Mark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Mar. 08, 2016

Publication Date: Jan. 01, 2013

Notice of Allowance Date: Feb. 26, 2013

Mark Information

Mark Literal Elements: HYDROX LABORATORIES

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "LABORATORIES"

Related Properties Information

Claimed Ownership of US Registrations: 0939378

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [] indicate deleted goods/services.
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks * * identify additional (new) wording in the goods/services.

For: contract packaging of drugs and health and beauty products for others

International Class(es): 039 - Primary Class

U.S Class(es): 100, 105

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 01, 1985

Use in Commerce: Mar. 01, 1985

For: contract manufacturing in the field of drugs, health and beauty products for others

International Class(es): 040 - Primary Class

U.S Class(es): 100, 103, 106

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 01, 1985

Use in Commerce: Mar. 01, 1985

For: research and development of new products in the area of drug products, health and beauty products

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 01, 1985

Use in Commerce: Mar. 01, 1985

Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Hydrox Chemical Company, Inc.

Owner Address: 825 - B Tollgate Road
Elgin, ILLINOIS 60123
UNITED STATES

Legal Entity Type: CORPORATION

State or Country ILLINOIS
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: James Michael Faier

Docket Number: 9185

Attorney Primary jmfaier@faier.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent JAMES MICHAEL FAIER
Name/Address: FAIER & FAIER PC
566 W ADAMS ST STE 600
CHICAGO, ILLINOIS 60661-3632
UNITED STATES

Phone: 3123829400

Fax: 3123829200

Correspondent e- jmfaier@faier.com ipdocket@faier.com
mail:

Correspondent e- Yes
mail Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 08, 2016	REGISTERED-PRINCIPAL REGISTER	
Feb. 02, 2016	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jan. 30, 2016	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jan. 29, 2016	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 29, 2016	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	
Jan. 29, 2016	EXAMINERS AMENDMENT E-MAILED	
Jan. 29, 2016	SU-EXAMINER'S AMENDMENT WRITTEN	69197
Jan. 25, 2016	EXPARTE APPEAL TERMINATED	548295
Dec. 10, 2015	EXPARTE APPEAL DSMSED - FAILURE TO FILE BRIEF	548295
Sep. 16, 2015	NOTIFICATION OF SU - SUBSEQUENT FINAL E-MAILED	
Sep. 16, 2015	SU - SUBSEQUENT FINAL MAILED	
Sep. 16, 2015	SOU - SUBSEQUENT FINAL REFUSAL WRITTEN	69197
Sep. 16, 2015	EX PARTE APPEAL-INSTITUTED	548295
Sep. 16, 2015	JURISDICTION RESTORED TO EXAMINING ATTORNEY	548295
Sep. 03, 2015	NOTICE OF REVIVAL - E-MAILED	
Sep. 03, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	68171

Sep. 03, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	68171
Aug. 24, 2015	PETITION GRANTED - RESPONSE RECEIVED	66600
Aug. 10, 2015	INCOMPLETE PETITION NOTICE MAILED	66600
Aug. 07, 2015	ASSIGNED TO PETITION STAFF	66600
Aug. 03, 2015	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 03, 2015	TEAS PETITION TO REVIVE RECEIVED	
Jun. 01, 2015	ABANDONMENT NOTICE MAILED - FAILURE TO RESPOND	
Jun. 01, 2015	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
Oct. 29, 2014	NOTIFICATION OF FINAL REFUSAL EMAILED	
Oct. 29, 2014	FINAL REFUSAL E-MAILED	
Oct. 29, 2014	SU - FINAL REFUSAL - WRITTEN	69197
Oct. 16, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Oct. 15, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Oct. 15, 2014	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 17, 2014	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Apr. 17, 2014	NON-FINAL ACTION E-MAILED	
Apr. 17, 2014	SU - NON-FINAL ACTION - WRITTEN	69197
Apr. 04, 2014	STATEMENT OF USE PROCESSING COMPLETE	66154
Feb. 25, 2014	USE AMENDMENT FILED	66154
Mar. 21, 2014	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66154
Feb. 25, 2014	TEAS STATEMENT OF USE RECEIVED	
Aug. 16, 2013	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Aug. 14, 2013	EXTENSION 1 GRANTED	98765
Aug. 14, 2013	EXTENSION 1 FILED	98765
Aug. 14, 2013	TEAS EXTENSION RECEIVED	
Feb. 26, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jan. 01, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 01, 2013	PUBLISHED FOR OPPOSITION	
Dec. 12, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Nov. 29, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Nov. 28, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 27, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Nov. 27, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Nov. 27, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Nov. 27, 2012	EXAMINERS AMENDMENT -WRITTEN	69197
Nov. 27, 2012	AMENDMENT FROM APPLICANT ENTERED	68171
Nov. 27, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	68171
Nov. 27, 2012	ASSIGNED TO LIE	68171
Oct. 30, 2012	FAX RECEIVED	
Apr. 30, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Apr. 30, 2012	NON-FINAL ACTION E-MAILED	6325
Apr. 30, 2012	NON-FINAL ACTION WRITTEN	69197
Apr. 26, 2012	ASSIGNED TO EXAMINER	69197
Feb. 28, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 24, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 30, 2016

Proceedings

Summary

Number of 1
Proceedings:

Type of Proceeding: Exparte Appeal**Proceeding Number:** 85548295**Filing Date:** Aug 03, 2015**Status:** Terminated**Status Date:** Jan 25, 2016**Interlocutory Attorney:****Plaintiff(s)****Name:** Hydrox Chemical Company, Inc.**Correspondent Address:** JAMES MICHAEL FAIER
FAIER & FAIER PC
566 WADAMS ST STE 600
CHICAGO IL , 60661-3632
UNITED STATES**Correspondent e-mail:** jmfaier@faier.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
HYDROX LABORATORIES	Registered	<u>85548295</u>	<u>4913928</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	APPEAL TO BOARD	Aug 03, 2015	
2	APPEAL ACKNOWLEDGED; CASE REMANDED	Sep 16, 2015	
3	PENDING, INSTITUTED	Sep 16, 2015	
4	RECON DENIED	Sep 16, 2015	
5	PROCEEDINGS RESUMED	Sep 29, 2015	
6	BD DECISION: DISMISSED FOR FAILURE TO FILE BRIEF	Dec 10, 2015	
7	TERMINATED	Jan 25, 2016	